

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: ) Group Art Unit: 1631  
)  
McDONOUGH *et al.* ) Examiner: Marschel, A.  
)  
Serial No. 08/480,472 ) Atty. Docket No. GP034-03.DV1  
)  
Filed: June 6, 1995 )  
)  
For: NUCLEIC ACID SEQUENCE )  
AMPLIFICATION )

# 39  
Plunkett  
1-6-02

## NOTICE OF APPEAL

Box AF  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants hereby appeal from the Examiner's Final Office Action mailed on July 3, 2001, finally rejecting or objecting to claims 39-42, 48-51, 54-56, 67-73, 75-80, 82-93, 95-99 and 101-172.

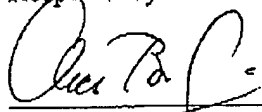
Please charge the amount due in connection with the filing of this Notice of Appeal to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.

I hereby certify that this correspondence (and any referred to as attached) is being sent by facsimile to 703-872-9307 on the date indicated below to the Commissioner for Patents, Washington, D.C. 20231.

Respectfully submitted,

Date: January 3, 2002

By:

  
Charles B. Cappellari  
Registration No. 40,937  
Attorney for Applicants

Gen-Probe Incorporated  
Patent Department  
10210 Genetic Center Drive  
San Diego, CA 92121-4362  
PH: (858) 410-8927  
FAX (858) 410-8928

01/07/2002 TPLUNKET 00000004 070835 00480472

01 FC:119 320.00 CH